IN THE UNETED STATES PATENT AND TRADEMARK OFFICE

Applicant:

E. Farber

Examiner:

Not assigned

Serial No .:

09/939,816

Group Art Unit:

1614

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June 5, 2002

Title:

FLEXIBLE APPLICATOR FOR APPLYING OIL-IN-WATER EMULSION

WITH IMPROVED STABILITY

<u>CERTIFICATE UNDER 37 CFR 1.8:</u> The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on <u>June 5, 2002</u>.

By: Joy Johnson

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
Washington, DC 20231

Dear Sir:

This document is an Information Disclosure Statement to the above-cited patent application.

Attached hereto is at least one Form PTO-1449 listing documents believed relevant to the subject application. The submission of the following information is not intended, nor should it be construed, to constitute an admission that any patent, article, or other information referred to herein is "prior art" unless specifically designated as such. In accordance with 37 C.F.R. § 1.97(b) the filing of this information shall not be construed to mean that a search has been made or that no other material information may exist. Neither should its submission be construed to indicate that a thorough search should not be conducted by the Examiner.

It is believed that this disclosure complies with the requirements of 37 C.F.R. § 1.56, § 1.97, and § 1.98 and the Manual of Patent Examining Procedures § 707.05(b). If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be telephoned so that any deficiencies can be remedied.

This Information Disclosure Statement is being submitted before the mailing of an Office Action on the merits on the above-identified application. Therefore, no fee is due for submission of this Information Disclosure Statement, pursuant to 37 C.F.R. § 1.97(b)(3). If an Office Action on the merits has been mailed prior to the submission of this Information Disclosure Statement, authorization is hereby given to charge the required fee under 37 C.F.R. § 1.197(c) and 37 C.F.R. § 1.17(p) to Deposit Account No. 16-2230.

A copy of each document is enclosed. Some of the documents may have markings thereon. No significance is meant to be attached to the markings. These documents are not necessarily analogous art. Additionally, the order of the following documents is to be accorded no particular import as the order thereof is completely fortuitous.

It is respectfully requested that these documents be: (1) fully considered by the Patent and Trademark Office during the examination of this application; and (2) represented on any patent which may issue on the application. Applicants respectfully request that copies of the PTO-1449 forms, as considered and initialed by the Examiner, be returned with the next communication.

- U.S. Patent No. 3,830,824 to Margraf, issued August 20, 1974.
- U.S. Patent No. 3,830,825 to Margraf, issued August 20, 1974.
- U.S. Patent No. 3,830,908 to Klippel et al., issued August 20, 1974.

- U.S. Patent No. 3,856,805 to Margraf, issued December 24, 1974.
- U.S. Patent No. 3,930,000 to Margraf, issued December 30, 1975.
- U.S. Patent No. 3,932,627 to Margraf, issued January 13, 1976.
- U.S. Patent No. 3,954,989 to Mecca, issued May 4, 1976.
- U.S. Patent No. 4,170,229 to Olson, issued October 9, 1979.
- U.S. Patent No. 4,278,664 to Van Cleave, issued July 14, 1981.
- U.S. Patent No. 4,374,766 to Puchalski et al., issued February 22, 1983.
- U.S. Patent No. 4,478,853 to Chaussee et al., issued on October 23, 1984.
- U.S. Patent No. 4,507,279 to Okuyama et al., issued on March 26, 1985.
- U.S. Patent No. 4,670,263 to Noorlander, issued June 2, 1987.
- U.S. Patent No. 4,707,354 to Garlen et al., issued November 17, 1987.
- U.S. Patent No. 4,708,813 to Snyder, issued November 24, 1987.
- U.S. Patent No. 4,806,262 to Snyder, issued February 21, 1989.
- U.S. Patent No. 4,880,621 to Grollier et al., issued November 14, 1989.

- U.S. Patent No. 4,981,845 to Pereira, issued January 1, 1991.
- U.S. Patent No. 5,112,886 to Phalangas, issued May 12, 1992.
- U.S. Patent No. 5,122,533 to Bar-On et al., issued June 16, 1992.
- U.S. Patent No. 5,221,533 to Perlman, issued June 22, 1993.
- U.S. Patent No. 5,455,033 to Silverman et al., issued October 3, 1995.
- U.S. Patent No. 5,512,200 to Garcia, issued April 30, 1996.
- U.S. Patent No. 5,567,427 to Papadakis, issued October 22, 1996.
- U.S. Patent No. 5,578,312 to Parrinello, issued November 26, 1996.
- U.S. Patent No. 5,616,347 to Alliger et al., issued April 1, 1997.
- U.S. Patent No. 5,658,559 to Smith, issued August 19, 1997.
- U.S. Patent No. 5,661,170 to Chodosh, issued August 26, 1997.
- U.S. Patent No. 5,709,847 to Bissett et al., issued on January 20, 1998.
- U.S. Patent No. 5,736,128 to Chaudhuri et al., issued April 7, 1998.
- U.S. Patent No. 5,824,666 to Deckner et al., issued October 20, 1998.
- U.S. Patent No. 5,827,870 to Chodosh, issued October 27, 1998.

- U.S. Patent No. 5,830,483 to Seidel et al., issued November 3, 1998.
- U.S. Patent No. 5,849,310 to Trinh et al., issued on December 15, 1998.
- U.S. Patent No. 5,863,548 to Elder, issued January 26, 1999.
- U.S. Patent No. 5,871,754 to Briggs et al., issued February 16, 1999.
- U.S. Patent No. 5,876,736 to Cohen et al., issued March 2, 1999.
- U.S. Patent No. 5,885,581 to Massand, issued March 23, 1999.
- U.S. Patent No. 5,914,116 to Suares et al., issued June 22, 1999.
- U.S. Patent No. 5,932,228 to Hall et al., issued August 3, 1999.
- U.S. Patent No. 5,952,373 to Lanzendörfer et al., issued September 14, 1999.
- U.S. Patent No. 5,958,436 to Hahn et al., issued September 28, 1999.
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- U.S. Patent No. 6,001,377 to SaNogueira, Jr. et al., issued on December 14, 1999.
- U.S. Patent No. 6,060,061 to Breton et al., issued May 9, 2000.
- U.S. Patent No. 6,080,393 to Liu et al., issued June 27, 2000.

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- U.S. Patent No. 6,174,533 to SaNogueira, Jr. et al., issued on January 16, 2001.
- U.S. Patent No. 6,306,915 to Murata, issued on October 23, 2001.
- U.S. Patent No. 6,337,065 to Jacobson et al., issued on January 8, 2002, on an application filed on December 1, 1999.

EPO Publication No. 0242553 by Campo, published October 28, 1987.

EPO Publication No. 0380157 by Weisberg, published August 1, 1990.

PCT Publication No. WO 90/09779 by Benhuri, published September 7, 1990.

Great Britain Patent No. 1,346,544 to Margraf, issued February 13, 1974.

Japanese Patent No. JP 358140013A to Dai Ichi Seiyaku et al. (inventors Kuroda et al.), issued August 19, 1983 (translated from Japanese).

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Product information insert for Alphosyl Cream and Alphosyl Lotion, G.D. Searle (South Africa), April 24, 1975.

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Abstract of a publication, M. Cajkovac et al., "Influence of Emulsoid Vehicle on the Release and Activity of Allantoin," <u>Pharmazie</u> 47: 39-43 (1992) (abstract only).

Abstract of a publication, M. Maragakis et al., "Possibilities of Scar Treatment After Thoracic Surgery," <u>Drugs Under Exp. & Clin. Res.</u> 21: 199-206 (1995) (abstract only).

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H.W. Margraf & T.H. Covey, Jr., "A Trial of Silver-Zinc-Allantoinate in the Treatment of Leg Ulcers," Arch. Surg. 12: 699-704 (1977).

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F.R. Greenbaum. "The Story of Allantoin," Am. J. Pharm. 112: 205-216 (1940).

- M.A. Lesser, "Allantoin," <u>Drug Cosmet. Ind.</u> 42: 451-456, 469 (1938).
- I.I. Lubowe & S.B. Mecca, "Allantoin and Aluminum Derivatives in Dermatological Applications," Drug Cosmet. Ind. 84: 36, 37, 117 (1959).
- S.B. Mecca, "Allantoin and the Newer Aluminum Allantoinates," <u>Proc. Scient.</u>
 <u>Sect. Toilet Goods Assoc.</u> No. 31: 1-6 (1959).
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 <u>Sect. Toilet Goods Assoc.</u> No. 39: 7-15 (1963).
- P. LeVan et al., "The Use of Silicones in Dermatology," <u>Calif. Med.</u> 81: 210-213 (1954).
- R. Cahen & A. Pessonnier, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L'Allantoïnate de Chlorhydroxyaluminium. I.-- Toxicité," <u>Ann. Pharm. Franç.</u> 20: 623-636 (1962) (in French), discloses the physical and chemical properties and the toxicity of dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate. The compounds were observed to have no toxicity.
- R. Cahen & J.-F. Clement, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L'Allantoïnate de Chlorhydroxyaluminium. II.--Etude de l'Activité Gastrique," <u>Ann. Pharm. Franç.</u> 20: 693-703 (1962) (in French), discloses the activity of dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate on gastric activity. The compounds were found to have acid-neutralizing and buffering activity and to diminish gastric acidity.

R. Cahen & A. Pessonnier, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L'Allantoïnate de Chlorhydroxyaluminium. III.--Effet Anti-ulcéreux," <u>Ann. Pharm. Franç.</u> 20: 704-713 (1962) (in French), discloses the anti-ulcer activity of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate. The compounds were found to have anti-ulcer activity in rats and guinea pigs comparable to compounds such as aluminum hydrate and bismuch subnitrate.

R. Cahen & A. Pessonnier, "Etude Pharmacologique de L'Allantoïnate de Dihydroxyaluminium et de L'Allantoïnate de Chlorhydroxyaluminium. IV.--Effet sur l'Ulcère Médicamenteux Expérimental," <u>Ann. Pharm. Franç.</u> 21: 215-222 (1963) (in French), discloses the effect of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate on ulcers produced in the rat by administration of phenylbutazone or reserpine. The compounds were found to have activity against such ulcers.

C. Debray et al., "Etude de Dèrivés Allantoïniques de l'Aluminium dans la Thérapeutique des Affections Gastro-duodénales," <u>Presse Méd.</u> 70: 2643-2644 (1962) (in French) discloses the activity of the compounds dihydroxyaluminum allantoinate and chlorhydroxyaluminum allantoinate administered in a complex with a polymer of polyoxyethylene and polyoxypropanediol, methylhomatropine bromide, and calcium carbonate

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on gastrointestinal conditions. The complex was said to be effective against duodenal ulcer and effective in protecting the gastric mucosa.

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Respectfully submitted,

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